

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Miceli et al
Serial No.: 10/814,085
Filed: March 31, 2004
For: Reversible Child Resistant Closure
Group No. 3727
Examiner: Hylton, Robin Annette
Attorney's Docket No. N1200
Customer No. 23456

**TERMINAL DISCLAIMER TO OBLVIAE A DOUBLE PATENTING
REJECTION**

Tri State Distribution, Inc. of Spencer, TN, the owner of 100% interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,802,427. The owner hereby agrees that any patent so granted on the instant application will be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior

Serial Number 10/814,085

patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record. The Commissioner is authorized to charge the terminal disclaimer fee under 37 CFR 1.20(d) to Deposit Account 23-0035.

The Commissioner is authorized to charge any additional fees or credit any overpayment coincident to this Terminal Disclaimer to Deposit Account 23-0035.

Respectfully submitted,

Date: 12/30/05


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